

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**SANDRA FAY GIPSON, as Administratrix of,
and Personal Representative on Behalf of the
Wrongful Death Beneficiaries of the Estate of
CHARLES ELLIOTT McGREW, Deceased**

PLAINTIFF

V.

CIVIL ACTION NO. 3:16-cv-624 DPJ-FKB

**MANAGEMENT & TRAINING CORPORATION
and JOHN AND JANE DOES 1-100**

DEFENDANTS

MOTION FOR ADVERSE INSTRUCTION

MTC failed to properly preserve crucial evidence associated with this case. As a result, the Plaintiff is unable to provide objective evidence which would support her claims against MTC. MTC must not be awarded for their actions. The Plaintiff requests an adverse inference instruction due to the spoliation of evidence.

The Plaintiff is filing a memorandum brief in support of her motion as well as the following exhibits which will be filed under seal:

1. Marjorie Brown's 30 (b) (6) deposition from Jonsha Bell V. Management & Training Corporation, et al.; In the United States District Court for the Southern District of Mississippi, Western Division; Civil Action No. 5:16-cv-39-DCB-MTP

RESPECTFULLY SUBMITTED, THIS the 12th day of October, 2017.

SANDRA FAY GIPSON, PLAINTIFF

BY: /s/ Charles R. Mullins
CHARLES R. MULLINS

OF COUNSEL:

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CERTIFICATE OF SERVICE

I, Charles R. Mullins, counsel of record for the Plaintiff, Sandra Fay Gipson, in the above-styled and referenced matter, do hereby certify that I have this caused the above and foregoing *Motion For Adverse Instruction* to be filed via the ECF system, which sent notification thereof to the following persons of interest:

R. JARRAD GARNER
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THIS, the 12th day of October, 2017.

/s/ Charles R. Mullins
CHARLES R. MULLINS